

Katherine Kelly Lutton, SBN 194971  
lutton@fr.com  
Robert J. Kent, CA SBN 250905  
rjkent@fr.com  
FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063-1526  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

Attorneys for Defendant  
SAP AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IMPLICIT NETWORKS, INC.,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION, ORACLE CORPORATION,  
SAP AMERICA, INC., and ADOBE SYSTEMS  
INCORPORATED,

Defendants.

Case No. CV 09-1342 SI

**DEFENDANT SAP AMERICA, INC.'S  
NOTICE OF WITHDRAWAL OF  
ORRICK, HERRINGTON & SUTCLIFFE  
LLP, INCLUDING MARK S. PARRIS, AS  
COUNSEL**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Civil Local Rule 11-5, Defendant SAP America, Inc. ("SAP") requests that the Court allow Orrick, Herrington & Sutcliffe LLP, including attorney Mark S. Parris, to withdraw its appearance as counsel for SAP in the above-captioned action and to be removed from receiving electronic notification of filings. The appearance of Fish & Richardson P.C. on behalf of SAP shall remain in effect and is not affected by this withdrawal. All other parties are notified in writing of this withdrawal.

DEFENDANT SAP AMERICA, INC.'S NOTICE OF  
WITHDRAWAL OF ORRICK, HERRINGTON &  
SUTCLIFFE LLP, INCLUDING MARK S. PARRIS, AS  
COUNSEL

Case No. CV 09-1342 SI

1 Dated: April 9, 2009

FISH & RICHARDSON P.C.

2  
3 By: /s/ Katherine Kelly Lutton  
Katherine Kelly Lutton, SBN 194971  
lutton@fr.com  
Robert J. Kent, SBN 250905  
rjkent@fr.com  
FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

9 Attorneys for Defendant  
SAP AMERICA, INC.

11 Dated: April 9, 2009

ORRICK, HERRINGTON & SUTCLIFFE  
LLP

13 By: /s/ Mark S. Parris  
Mark S. Parris, WSBA #13870  
MParris@orrick.com  
ORRICK, HERRINGTON & SUTCLIFFE  
LLP  
719 Second Avenue, Suite 1000  
Seattle, Washington 98104  
Telephone: (206) 839-4300  
Facsimile: (206) 839-4301

**CERTIFICATION PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Mark S. Parris.

Dated: April 9, 2009

By: /s/ Katherine Kelly Lutton  
Katherine Kelly Lutton



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